

106TH CONGRESS
2D SESSION

S. 1402

AMENDMENTS

In the House of Representatives, U. S.,

May 23, 2000.

Resolved, That the bill from the Senate (S. 1402) entitled “An Act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-***
2 ***ERENCES TO TITLE 38, UNITED STATES CODE.***

3 *(a) SHORT TITLE.—This Act may be cited as the “Vet-*
4 *erans and Dependents Millennium Education Act”.*

5 *(b) TABLE OF CONTENTS.—The table of contents of this*
6 *Act is as follows:*

- Sec. 1. Short title; table of contents; references to title 38, United States Code.*
- Sec. 2. Increase in rates of basic educational assistance under Montgomery GI Bill.*
- Sec. 3. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.*
- Sec. 4. Increase in rates of survivors and dependents educational assistance.*
- Sec. 5. Adjusted effective date for award of survivors’ and dependents’ educational assistance.*
- Sec. 6. Revision of educational assistance interval payment requirements.*
- Sec. 7. Availability of education benefits for payment for licensing or certification tests.*
- Sec. 8. Extension of certain temporary authorities.*
- Sec. 9. Codification of recurring provisions in annual Department of Veterans Affairs appropriations Acts.*
- Sec. 10. Preservation of certain reporting requirements.*

1 (c) *REFERENCES TO TITLE 38, UNITED STATES*
 2 *CODE.—Except as otherwise expressly provided, whenever*
 3 *in this Act an amendment or repeal is expressed in terms*
 4 *of an amendment to, or repeal of, a section or other provi-*
 5 *sion, the reference shall be considered to be made to a section*
 6 *or other provision of title 38, United States Code.*

7 **SEC. 2. INCREASE IN RATES OF BASIC EDUCATIONAL AS-**
 8 **SISTANCE UNDER MONTGOMERY GI BILL.**

9 (a) *ACTIVE DUTY EDUCATIONAL ASSISTANCE.—(1)*
 10 *Section 3015 is amended—*

11 (A) *in subsection (a)(1), by striking “\$528” and*
 12 *inserting “\$720”; and*

13 (B) *in subsection (b)(1), by striking “\$429” and*
 14 *inserting “\$585”.*

15 (2) *The amendments made by paragraph (1) shall take*
 16 *effect on October 1, 2002, and shall apply with respect to*
 17 *educational assistance allowances paid for months after*
 18 *September 2002.*

19 (3) *In the case of an educational assistance allowance*
 20 *paid for a month after September 2000, and before October*
 21 *2002 under section 3015 of such title—*

22 (A) *subsection (a)(1) of such section shall be ap-*
 23 *plied by substituting “\$600” for “\$528”; and*

24 (B) *subsection (b)(1) of such section shall be ap-*
 25 *plied by substituting “\$487” for “\$429”.*

1 (b) *CPI ADJUSTMENT.*—No adjustment in rates of
 2 educational assistance shall be made under section 3015(g)
 3 of title 38, United States Code, for fiscal years 2001 and
 4 2003.

5 **SEC. 3. ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP**
 6 **PARTICIPANTS TO ENROLL IN BASIC EDU-**
 7 **CATIONAL ASSISTANCE UNDER MONT-**
 8 **GOMERY GI BILL.**

9 (a) *SPECIAL ENROLLMENT PERIOD.*—Section 3018C
 10 is amended by adding at the end the following new sub-
 11 section:

12 “(e)(1) A qualified individual (described in paragraph
 13 (2)) may make an irrevocable election under this subsection,
 14 during the 1-year period beginning on the date of the enact-
 15 ment of this subsection, to become entitled to basic edu-
 16 cational assistance under this chapter. Such an election
 17 shall be made in the same manner as elections made under
 18 subsection (a)(5).

19 “(2) A qualified individual referred to in paragraph
 20 (1) is an individual who meets the following requirements:

21 “(A) The individual was a participant in the
 22 educational benefits program under chapter 32 of this
 23 title on or before October 9, 1996.

24 “(B) The individual has continuously served on
 25 active duty since October 9, 1996 (excluding the peri-

1 ods referred to in section 3202(1)(C) of this title),
 2 through at least April, 1, 2000.

3 “(C) The individual meets the requirements of
 4 subsection (a)(3).

5 “(D) The individual is discharged or released
 6 from active duty with an honorable discharge.

7 “(3)(A) Subject to succeeding provisions of this para-
 8 graph, with respect to a qualified individual who makes
 9 an election under paragraph (1) to become entitled to basic
 10 education assistance under this chapter—

11 “(i) the basic pay of the qualified individual
 12 shall be reduced (in a manner determined by the Sec-
 13 retary concerned) until the total amount by which
 14 such basic pay is reduced is \$2,700; and

15 “(ii) to the extent that basic pay is not so re-
 16 duced before the qualified individual’s discharge or re-
 17 lease from active duty as specified in subsection
 18 (a)(4), at the election of the qualified individual—

19 “(I) the Secretary concerned shall collect
 20 from the qualified individual; or

21 “(II) the Secretary concerned shall reduce
 22 the retired or retainer pay of the qualified indi-
 23 vidual by,

24 an amount equal to the difference between \$2,700 and
 25 the total amount of reductions under clause (i), which

1 *shall be paid into the Treasury of the United States*
2 *as miscellaneous receipts.*

3 “(B)(i) *The Secretary concerned shall provide for an*
4 *18-month period, beginning on the date the qualified indi-*
5 *vidual makes an election under paragraph (1), for the*
6 *qualified individual to pay that Secretary the amount due*
7 *under subparagraph (A).*

8 “(ii) *Nothing in clause (i) shall be construed as modi-*
9 *fying the period of eligibility for and entitlement to basic*
10 *education assistance under this chapter applicable under*
11 *section 3031 of this title.*

12 “(C) *The provisions of subsection (c) shall apply to*
13 *individuals making elections under this subsection in the*
14 *same manner as they applied to individuals making elec-*
15 *tions under subsection (a)(5).*

16 “(4) *With respect to qualified individuals referred to*
17 *in paragraph (3)(A)(ii), no amount of educational assist-*
18 *ance allowance under this chapter shall be paid to the quali-*
19 *fied individual until the earlier of the date on which—*

20 “(A) *the Secretary concerned collects the applica-*
21 *ble amount under subparagraph (I) of such para-*
22 *graph; or*

23 “(B) *the retired or retainer pay of the qualified*
24 *individual is first reduced under subparagraph (II) of*
25 *such paragraph.*

1 “(5) *The Secretary, in conjunction with the Secretary*
 2 *of Defense, shall provide for notice to participants in the*
 3 *educational benefits program under chapter 32 of this title*
 4 *of the opportunity under this section to elect to become enti-*
 5 *tled to basic educational assistance under this chapter.”.*

6 (b) *CONFORMING AMENDMENT.—Section 3018C(b) is*
 7 *amended by striking “subsection (a)” and inserting “sub-*
 8 *section (a) or (e)”.*

9 **SEC. 4. INCREASE IN RATES OF SURVIVORS AND DEPEND-**
 10 **ENTS EDUCATIONAL ASSISTANCE.**

11 (a) *SURVIVORS AND DEPENDENTS EDUCATIONAL AS-*
 12 *SISTANCE.—(1) Section 3532 is amended—*

13 (A) *in subsection (a)(1)—*

14 (i) *by striking “\$485” and inserting*
 15 *“\$720”;*

16 (ii) *by striking “\$365” and inserting*
 17 *“\$540”; and*

18 (iii) *by striking “\$242” and inserting*
 19 *“\$360”;*

20 (B) *in subsection (a)(2), by striking “\$485” and*
 21 *inserting “\$720”;*

22 (C) *in subsection (b), by striking “\$485” and in-*
 23 *serting “\$720”; and*

24 (D) *in subsection (c)(2)—*

1 (i) by striking “\$392” and inserting
2 “\$582”;

3 (ii) by striking “\$294” and inserting
4 “\$436”; and

5 (iii) by striking “\$196” and inserting
6 “\$291”.

7 (2) *The amendments made by paragraph (1) shall take*
8 *effect on October 1, 2002, and shall apply with respect to*
9 *educational assistance allowances paid for months after*
10 *September 2002.*

11 (3) *In the case of an educational assistance allowance*
12 *paid for a month after September 2000 and before October*
13 *2002 under section 3532 of such title—*

14 (A) *subsection (a)(1) of such section shall be ap-*
15 *plied by substituting—*

16 (i) “\$600” for “\$485”;

17 (ii) “\$450” for “\$365”; and

18 (iii) “\$300” for “\$242”;

19 (B) *subsection (a)(2) of such section shall be ap-*
20 *plied by substituting “\$600” for “\$485”;*

21 (C) *subsection (b) of such section shall be applied*
22 *by substituting “\$600” for “\$485”; and*

23 (D) *subsection (c)(2) of such section shall be ap-*
24 *plied by substituting—*

25 (i) “\$485” for “\$392”;

1 (ii) “\$364” for “\$294”; and

2 (iii) “\$242” for “\$196”.

3 (b) *CORRESPONDENCE COURSE.*—(1) *Section 3534(b)*
4 *is amended by striking “\$485” and inserting “\$720”.*

5 (2) *The amendment made by paragraph (1) shall take*
6 *effect on October 1, 2002, and shall apply with respect to*
7 *educational assistance allowances paid under section*
8 *3534(b) of title 38, United States Code, for months after*
9 *September 2002.*

10 (3) *In the case of an educational assistance allowance*
11 *paid for a month after September 2000 and before October*
12 *2002 under section 3534 of such title, subsection (b) of such*
13 *section shall be applied by substituting “\$600” for “\$485”.*

14 (c) *SPECIAL RESTORATIVE TRAINING.*—(1) *Section*
15 *3542(a) is amended—*

16 (A) *by striking “\$485” and inserting “\$720”;*

17 (B) *by striking “\$152” each place it appears*
18 *and inserting “\$225”; and*

19 (C) *by striking “\$16.16” and inserting “\$24”.*

20 (2) *The amendments made by paragraph (1) shall take*
21 *effect on October 1, 2002, and shall apply with respect to*
22 *educational assistance allowances paid under section*
23 *3542(a) of title 38, United States Code, for months after*
24 *September 2002.*

1 (3) *In the case of an educational assistance allowance*
 2 *paid for a month after September 2000 and before October*
 3 *2002 under section 3542 of such title, subsection (a) of such*
 4 *section shall be applied by substituting—*

5 (A) “\$600” for “\$485”;

6 (B) “\$188” for “\$152” each place it appears;

7 *and*

8 (C) “\$20” for “\$16.16”.

9 (d) *APPRENTICESHIP TRAINING.—(1) Section*
 10 *3687(b)(2) is amended—*

11 (A) *by striking “\$353” and inserting “\$524”;*

12 (B) *by striking “\$264” and inserting “\$392”;*

13 (C) *by striking “\$175” and inserting “\$260”;*

14 *and*

15 (D) *by striking “\$88” and inserting “\$131”.*

16 (2) *The amendments made by paragraph (1) shall take*
 17 *effect on October 1, 2002, and shall apply with respect to*
 18 *educational assistance allowances paid under section*
 19 *3687(b)(2) of title 38, United States Code, for months after*
 20 *September 2002.*

21 (3) *In the case of an educational assistance allowance*
 22 *paid for a month after September 2000 and before October*
 23 *2002 under section 3687 of such title, subsection (b)(2) of*
 24 *such section shall be applied by substituting—*

25 (A) “\$437” for “\$353”;

1 (B) “\$327” for “\$264”;

2 (C) “\$216” for “\$175”; and

3 (D) “\$109” for “\$88”.

4 (e) *PROVISION FOR ANNUAL ADJUSTMENTS TO*
5 *AMOUNTS OF ASSISTANCE.*—

6 (1) *CHAPTER 35.*—(A) *Subchapter VI of chapter*
7 *35 is amended by adding at the end the following new*
8 *section:*

9 **“§ 3564. Annual adjustment of amounts of educational**
10 **assistance**

11 *“With respect to any fiscal year, the Secretary shall*
12 *provide a percentage increase (rounded to the nearest dol-*
13 *lar) in the rates payable under sections 3532, 3534(b), and*
14 *3542(a) of this title equal to the percentage by which—*

15 *“(1) the Consumer Price Index (all items, United*
16 *States city average) for the 12-month period ending*
17 *on the June 30 preceding the beginning of the fiscal*
18 *year for which the increase is made, exceeds*

19 *“(2) such Consumer Price Index for the 12-*
20 *month period preceding the 12-month period described*
21 *in paragraph (1).”.*

22 (B) *The table of sections at the beginning of*
23 *chapter 35 is amended by inserting after the item re-*
24 *lating to section 3563 the following new item:*

“3564. Annual adjustment of amounts of educational assistance.”.

1 (2) *CHAPTER 36.—Section 3687 is amended by*
 2 *adding at the end the following new subsection:*

3 “(d) *With respect to any fiscal year, the Secretary*
 4 *shall provide a percentage increase (rounded to the nearest*
 5 *dollar) in the rates payable under subsection (b)(2) equal*
 6 *to the percentage by which—*

7 “*(1) the Consumer Price Index (all items, United*
 8 *States city average) for the 12-month period ending*
 9 *on the June 30 preceding the beginning of the fiscal*
 10 *year for which the increase is made, exceeds*

11 “*(2) such Consumer Price Index for the 12-*
 12 *month period preceding the 12-month period described*
 13 *in paragraph (1).”.*

14 (3) *EFFECTIVE DATE.—The amendments made*
 15 *by this subsection shall apply with respect to fiscal*
 16 *year 2002 and each fiscal year beginning on or after*
 17 *October 1, 2003.*

18 **SEC. 5. ADJUSTED EFFECTIVE DATE FOR AWARD OF SUR-**
 19 **VIVORS’ AND DEPENDENTS’ EDUCATIONAL**
 20 **ASSISTANCE.**

21 (a) *IN GENERAL.—Section 5113 is amended—*

22 (1) *by redesignating subsection (b) as subsection*
 23 *(c);*

1 (2) in subsection (a), by striking “subsection (b)
2 of this section” and inserting “subsections (b) and
3 (c)”; and

4 (3) by inserting after subsection (a) the following
5 new subsection:

6 “(b)(1) When determining the effective date of an
7 award of survivors’ and dependents’ educational assistance
8 under chapter 35 of this title for an individual described
9 in paragraph (2) based on an original claim, the Secretary
10 shall consider the individual’s application (under section
11 3513 of this title) as having been filed on the effective date
12 from which the Secretary, by rating decision, determines
13 that the individual is entitled to such educational assistance
14 (such entitlement being based on the total service-connected
15 disability evaluated as permanent in nature, or the service-
16 connected death, of the spouse or parent from whom the in-
17 dividual’s eligibility is derived) if that date is more than
18 1 year before the date such rating decision is made.

19 “(2) An individual referred to in paragraph (1) is a
20 person who is eligible for educational assistance under
21 chapter 35 of this title by reason of subparagraph (A)(i),
22 (A)(ii), (B), or (D) of section 3501(a)(1) of this title who—

23 “(A) submits to the Secretary an original appli-
24 cation under such section 3513 for such educational
25 assistance within 1 year of the date that the Secretary

1 *issues the rating decision referred to in paragraph*
2 *(1);*

3 *“(B) claims such educational assistance for an*
4 *approved program of education for months preceding*
5 *the 1-year period ending on the date on which the in-*
6 *dividual’s application under such section was received*
7 *by the Secretary; and*

8 *“(C) would have been entitled to such edu-*
9 *cational assistance for such course pursuit for such*
10 *months, without regard to this subsection, if the indi-*
11 *vidual had submitted such an application on the ef-*
12 *fective date from which the Secretary determined the*
13 *individual was eligible for such educational assist-*
14 *ance.”.*

15 *(b) EFFECTIVE DATE.—The amendments made by sub-*
16 *section (a) shall apply to applications first made under sec-*
17 *tion 3513 of title 38, United States Code, that—*

18 *(1) are received on or after the date of the enact-*
19 *ment of this Act; or*

20 *(2) on the date of the enactment of this Act, are*
21 *pending (A) with the Secretary of Veterans Affairs or*
22 *(B) exhaustion of available administrative and judi-*
23 *cial remedies.*

1 **SEC. 6. REVISION OF EDUCATIONAL ASSISTANCE INTERVAL**
 2 **PAYMENT REQUIREMENTS.**

3 (a) *IN GENERAL.*—Subclause (C) of the third sentence
 4 of section 3680(a) is amended to read as follows:

5 “(C) during periods between school terms where
 6 the educational institution certifies the enrollment of
 7 the eligible veteran or eligible person on an individual
 8 term basis if: (i) the period between such terms does
 9 not exceed 8 weeks; and (ii) both the terms preceding
 10 and following the period are not shorter in length
 11 than the period.”.

12 (b) *EFFECTIVE DATE.*—The amendment made by sub-
 13 section (a) shall apply with respect to payments of edu-
 14 cational assistance under title 38, United States Code, for
 15 months beginning on or after the date of the enactment of
 16 this Act.

17 **SEC. 7. AVAILABILITY OF EDUCATION BENEFITS FOR PAY-**
 18 **MENT FOR LICENSING OR CERTIFICATION**
 19 **TESTS.**

20 (a) *IN GENERAL.*—Sections 3452(b) and 3501(a)(5)
 21 are each amended by adding at the end the following new
 22 sentence: “Such term also includes licensing or certification
 23 tests, the successful completion of which demonstrates an in-
 24 dividual’s possession of the knowledge or skill required to
 25 enter into, maintain, or advance in employment in a pre-
 26 determined and identified vocation or profession, provided

1 *such tests and the licensing or credentialing organizations*
 2 *or entities that offer such tests are approved by the Sec-*
 3 *retary in accordance with section 3689 of this title.”.*

4 *(b) AMOUNT OF PAYMENT.—*

5 *(1) CHAPTER 30.—Section 3032 is amended by*
 6 *adding at the end the following new subsection:*

7 *“(g) PAYMENT AMOUNT FOR LICENSING OR CERTIFI-*
 8 *CATION TEST.—(1) Subject to paragraph (3), the amount*
 9 *of educational assistance payable under this chapter for a*
 10 *licensing or certification test described in section 3452(b)*
 11 *of this title is the lesser of \$2,000 or the fee charged for*
 12 *the test.*

13 *“(2) The number of months of entitlement charged in*
 14 *the case of any individual for such licensing or certification*
 15 *test is equal to the number (including any fraction) deter-*
 16 *mined by dividing the total amount of educational assist-*
 17 *ance paid such individual for such test by the full-time*
 18 *monthly institutional rate of educational assistance which,*
 19 *except for paragraph (1) of this subsection, such individual*
 20 *would otherwise be paid under subsection (a)(1), (b)(1), (d),*
 21 *or (e)(1) of section 3015 of this title, as the case may be.*

22 *“(3) In no event shall payment of educational assist-*
 23 *ance under this subsection for such a test exceed the amount*
 24 *of the individual’s available entitlement under this chap-*
 25 *ter.”.*

1 (2) *CHAPTER 32.—Section 3232 is amended by*
 2 *adding at the end the following new subsection:*

3 “(c) *PAYMENT AMOUNT FOR LICENSING OR CERTIFI-*
 4 *CATION TEST.—(1) Subject to paragraph (3), the amount*
 5 *of educational assistance payable under this chapter for a*
 6 *licensing or certification test described in section 3452(b)*
 7 *of this title is the lesser of \$2,000 or the fee charged for*
 8 *the test.*

9 “(2) *The number of months of entitlement charged in*
 10 *the case of any individual for such licensing or certification*
 11 *test is equal to the number (including any fraction) deter-*
 12 *mined by dividing the total amount paid to such individual*
 13 *for such test by the full-time monthly institutional rate of*
 14 *the educational assistance allowance which, except for para-*
 15 *graph (1) of this subsection, such individual would other-*
 16 *wise be paid under this chapter.*

17 “(3) *In no event shall payment of educational assist-*
 18 *ance under this subsection for such a test exceed the amount*
 19 *of the individual’s available entitlement under this chap-*
 20 *ter.”.*

21 (3) *CHAPTER 34.—Section 3482 is amended by*
 22 *adding at the end the following new subsection:*

23 “(h) *PAYMENT AMOUNT FOR LICENSING OR CERTIFI-*
 24 *CATION TEST.—(1) Subject to paragraph (3), the amount*
 25 *of educational assistance payable under this chapter for a*

1 *licensing or certification test described in section 3452(b)*
 2 *of this title is the lesser of \$2,000 or the fee charged for*
 3 *the test.*

4 “(2) *The number of months of entitlement charged in*
 5 *the case of any individual for such licensing or certification*
 6 *test is equal to the number (including any fraction) deter-*
 7 *mined by dividing the total amount paid to such individual*
 8 *for such test by the full-time monthly institutional rate of*
 9 *the educational assistance allowance which, except for para-*
 10 *graph (1) of this subsection, such individual would other-*
 11 *wise be paid under this chapter.*

12 “(3) *In no event shall payment of educational assist-*
 13 *ance under this subsection for such a test exceed the amount*
 14 *of the individual’s available entitlement under this chap-*
 15 *ter.”.*

16 (4) *CHAPTER 35.—Section 3532 is amended by*
 17 *adding at the end the following new subsection:*

18 “(f) *PAYMENT AMOUNT FOR LICENSING OR CERTIFI-*
 19 *CATION TEST.—(1) Subject to paragraph (3), the amount*
 20 *of educational assistance payable under this chapter for a*
 21 *licensing or certification test described in section 3452(b)*
 22 *of this title is the lesser of \$2,000 or the fee charged for*
 23 *the test.*

24 “(2) *The number of months of entitlement charged in*
 25 *the case of any individual for such licensing or certification*

1 test is equal to the number (including any fraction) deter-
 2 mined by dividing the total amount paid to such individual
 3 for such test by the full-time monthly institutional rate of
 4 the educational assistance allowance which, except for para-
 5 graph (1) of this subsection, such individual would other-
 6 wise be paid under this chapter.

7 “(3) In no event shall payment of educational assist-
 8 ance under this subsection for such a test exceed the amount
 9 of the individual’s available entitlement under this chap-
 10 ter.”.

11 (c) REQUIREMENTS FOR LICENSING AND
 12 CREDENTIALING TESTING.—

13 (1) IN GENERAL.—Chapter 36 is amended by in-
 14 serting after section 3688 the following new section:

15 **“§3689. Approval requirements for licensing and cer-**
 16 **tification testing**

17 “(a) IN GENERAL.—(1) No payment may be made for
 18 a licensing or certification test described in section 3452(b)
 19 or section 3501(a)(5) of this title unless the Secretary deter-
 20 mines that the requirements of this section have been met
 21 with respect to such test and the organization or entity of-
 22 fering the test. The requirements of approval for tests and
 23 organizations or entities offering tests shall be in accordance
 24 with the relevant provisions of this part and with such regu-

1 *lations promulgated by the Secretary to carry out this sec-*
 2 *tion.*

3 “(2) *To the extent that the Secretary determines prac-*
 4 *ticable, State approving agencies may, in lieu of the Sec-*
 5 *retary, approve licensing and certification tests, and orga-*
 6 *nizations and entities offering such tests, under this section.*

7 “(b) *REQUIREMENTS FOR TESTS.—(1) Subject to*
 8 *paragraph (2), a licensing or certification test is approved*
 9 *for purposes of this section only if—*

10 “(A) *the test is required under Federal, State, or*
 11 *local law or regulation for an individual to enter*
 12 *into, maintain, or advance in employment in a pre-*
 13 *determined and identified vocation or profession; or*

14 “(B) *the Secretary determines that the test is*
 15 *generally accepted, in accordance with relevant gov-*
 16 *ernment, business, or industry standards, employment*
 17 *policies, or hiring practices, as attesting to a level of*
 18 *knowledge or skill required to qualify to enter into,*
 19 *maintain, or advance in employment in a predeter-*
 20 *mined and identified vocation or profession.*

21 “(2) *A licensing or certification test offered by a State,*
 22 *or a political subdivision of the State, is deemed approved*
 23 *by the Secretary.*

24 “(c) *REQUIREMENTS FOR ORGANIZATIONS OR ENTI-*
 25 *TIES OFFERING TESTS.—(1) Each organization or entity*

1 *that is not an entity of the United States, a State, or polit-*
 2 *ical subdivision of a State, that offers a licensing or certifi-*
 3 *cation test for which payment may be made under this part,*
 4 *and that meets the following requirements shall be approved*
 5 *by the Secretary to offer such test:*

6 “(A) *The organization or entity certifies to the*
 7 *Secretary that each licensing or certification test of-*
 8 *fered by the organization or entity is required to ob-*
 9 *tain the license or certificate required to enter into,*
 10 *maintain, or advance in employment in a predeter-*
 11 *mined and identified vocation or profession.*

12 “(B) *The organization or entity is licensed, char-*
 13 *tered, or incorporated in a State and has offered such*
 14 *tests for a minimum of 2 years before the date on*
 15 *which the organization or entity first submits to the*
 16 *Secretary an application for approval under this sec-*
 17 *tion.*

18 “(C) *The organization or entity employs, or*
 19 *consults with, individuals with expertise or substan-*
 20 *tial experience with respect to all areas of knowledge*
 21 *or skill that are measured by the test and that are re-*
 22 *quired for the license of certificate issued.*

23 “(D) *The organization or entity has no direct fi-*
 24 *nancial interest in—*

25 “(i) *the outcome of a test; or*

1 “(ii) organizations that provide the edu-
2 cation or training of candidates for licenses or
3 certificates required for vocations or professions.

4 “(E) The organization or entity maintains ap-
5 propriate records with respect to all candidates who
6 take such a test for a period prescribed by the Sec-
7 retary, but in no case for a period of less than 3
8 years.

9 “(F)(i) The organization or entity promptly
10 issues notice of the results of the test to the candidate
11 for the license or certificate.

12 “(ii) The organization or entity has in place a
13 process to review complaints submitted against the or-
14 ganization or entity with respect to a test the organi-
15 zation or entity offers or the process for obtaining a
16 license or certificate required for vocations or profes-
17 sions.

18 “(G) The organization or entity furnishes to the
19 Secretary such information with respect to a licensing
20 or certification test offered by the organization or en-
21 tity as the Secretary requires to determine whether
22 payment may be made for the test under this part,
23 including personal identifying information, fee pay-
24 ment, and test results. Such information shall be fur-
25 nished in the form prescribed by the Secretary.

1 “(H) *The organization or entity furnishes to the*
2 *Secretary the following information:*

3 “(i) *A description of each licensing or cer-*
4 *tification test offered by the organization or enti-*
5 *ty, including the purpose of each test, the voca-*
6 *tional, professional, governmental, and other en-*
7 *tities that recognize the test, and the license of*
8 *certificate issued upon successful completion of*
9 *the test.*

10 “(ii) *The requirements to take such a test,*
11 *including the amount of the fee charged for the*
12 *test and any prerequisite education, training,*
13 *skills, or other certification.*

14 “(iii) *The period for which the license or*
15 *certificate awarded upon successful completion of*
16 *such a test is valid, and the requirements for*
17 *maintaining or renewing the license or certifi-*
18 *cate.*

19 “(I) *Upon request of the Secretary, the organiza-*
20 *tion or entity furnishes such information to the Sec-*
21 *retary that the Secretary determines necessary to per-*
22 *form an assessment of—*

23 “(i) *the test conducted by the organization*
24 *or entity as compared to the level of knowledge*
25 *or skills that a license or certificate attests; and*

1 “(ii) the applicability of the test over such
 2 periods of time as the Secretary determines ap-
 3 propriate.

4 “(2) With respect to each organization or entity that
 5 is an entity of the United States, a State, or political sub-
 6 division of a State, that offers a licensing or certification
 7 test for which payment may be made under this part, the
 8 following provisions of paragraph (1) shall apply to the en-
 9 tity: subparagraphs (E), (F), (G), and (H).

10 “(d) ADMINISTRATION.—(1) Except as otherwise spe-
 11 cifically provided in this section or part, in implementing
 12 this section and making payment under this part for a li-
 13 censing or certification test, the test is deemed to be a
 14 ‘course’ and the organization or entity that offers such test
 15 is deemed to be an ‘institution’ or ‘educational institution’,
 16 respectively, as those terms are applied under and for pur-
 17 poses of sections 3671, 3673, 3674, 3678, 3679, 3681, 3682,
 18 3683, 3685, 3690, and 3696 of this title.

19 “(2) The Secretary shall use amounts appropriated to
 20 the Department in fiscal year 2001 for readjustment bene-
 21 fits to develop the systems and procedures required to make
 22 payments under this part for a licensing or certification
 23 test, such amounts not to exceed \$3,000,000.

24 “(e) PROFESSIONAL CERTIFICATION AND LICENSURE
 25 ADVISORY COMMITTEE.—(1) There is established within the

1 *Department a committee to be known as the Professional*
 2 *Certification and Licensure Advisory Committee (hereafter*
 3 *in this section referred to as the ‘Committee’).*

4 “(2) *The Committee shall advise the Secretary with re-*
 5 *spect to the requirements of organizations or entities offer-*
 6 *ing licensing and certification tests to individuals for which*
 7 *payment for such tests may be made under this part, and*
 8 *such other related issues as the Committee determines to be*
 9 *appropriate.*

10 “(3)(A) *The Secretary shall appoint five individuals*
 11 *with expertise in matters relating to licensing and certifi-*
 12 *cation tests to serve as members of the Committee, of*
 13 *whom—*

14 “(i) *one shall be a representative of the Coalition*
 15 *for Professional Certification;*

16 “(ii) *one shall be a representative of the Council*
 17 *on Licensure and Enforcement; and*

18 “(iii) *one shall be a representative of the Na-*
 19 *tional Skill Standards Board (established under sec-*
 20 *tion 503 of the National Skill Standards Act of 1994*
 21 *(20 U.S.C. 5933)).*

22 “(B) *The Secretary of Labor and the Secretary of De-*
 23 *fense shall serve as ex-officio members of the Committee.*

24 “(C) *A vacancy in the Committee shall be filled in the*
 25 *manner in which the original appointment was made.*

1 “(4)(A) *The Secretary shall appoint the chairman of*
2 *the Committee.*

3 “(B) *The Committee shall meet at the call of the chair-*
4 *man.*

5 “(C)(i) *Members of the Committee shall serve without*
6 *compensation.*

7 “(ii) *Members of the Committee shall be allowed rea-*
8 *sonable and necessary travel expenses, including per diem*
9 *in lieu of subsistence, at rates authorized for persons serving*
10 *intermittently in the Government service in accordance*
11 *with the provisions of subchapter I of chapter 57 of title*
12 *5 while away from their homes or regular places of business*
13 *in the performance of the responsibilities of the Committee.*

14 “(5) *The Committee shall terminate December 31,*
15 *2006.”.*

16 (2) *CLERICAL AMENDMENT.—The table of sections at*
17 *the beginning of chapter 36 is amended by inserting after*
18 *the item relating to section 3688 the following new item:*

“3689. Approval requirements for licensing and certification testing.”.

19 (d) *EFFECTIVE DATE.—The amendments made by this*
20 *section shall take effect on October 1, 2000, and apply with*
21 *respect to licensing and certification tests approved by the*
22 *Secretary on or after such date.*

1 **SEC. 8. EXTENSION OF CERTAIN TEMPORARY AUTHORI-**
 2 **TIES.**

3 (a) *ENHANCED LOAN ASSET SALE AUTHORITY.*—Sec-
 4 *tion 3720(h)(2) is amended by striking “December 31,*
 5 *2002” and inserting “December 31, 2008”.*

6 (b) *HOME LOAN FEES.*—Section 3729(a) is
 7 *amended—*

8 (1) *in paragraph (4)(B)—*

9 (A) *by striking “2002” and inserting*
 10 *“2008”; and*

11 (B) *by striking “2003” and inserting*
 12 *“2009”; and*

13 (2) *in paragraph (5)(C), by striking “October 1,*
 14 *2002” and inserting “October 1, 2008”.*

15 (c) *PROCEDURES APPLICABLE TO LIQUIDATION SALES*
 16 *ON DEFAULTED HOME LOANS GUARANTEED BY THE DE-*
 17 *PARTMENT OF VETERANS AFFAIRS.*—Section 3732(c)(11) is
 18 *amended by striking “October 1, 2002” and inserting “Oc-*
 19 *tober 1, 2008”.*

20 (d) *INCOME VERIFICATION AUTHORITY.*—Section
 21 *5317(g) is amended by striking “September 30, 2002” and*
 22 *inserting “September 30, 2008”.*

23 (e) *LIMITATION ON PENSION FOR CERTAIN RECIPI-*
 24 *ENTS OF MEDICAID-COVERED NURSING HOME CARE.*—Sec-
 25 *tion 5503(f)(7) is amended by striking “September 30,*
 26 *2002” and inserting “September 30, 2008”.*

1 **SEC. 9. CODIFICATION OF RECURRING PROVISIONS IN AN-**
2 **NUAL DEPARTMENT OF VETERANS AFFAIRS**
3 **APPROPRIATIONS ACTS.**

4 (a) *CODIFICATION OF RECURRING PROVISIONS.—(1)*
5 *Section 313 is amended by adding at the end the following*
6 *new subsections:*

7 “(c) *COMPENSATION AND PENSION.—Funds appro-*
8 *priated for Compensation and Pensions are available for*
9 *the following purposes:*

10 “(1) *The payment of compensation benefits to or*
11 *on behalf of veterans as authorized by section 107 and*
12 *chapters 11, 13, 51, 53, 55, and 61 of this title.*

13 “(2) *Pension benefits to or on behalf of veterans*
14 *as authorized by chapters 15, 51, 53, 55, and 61 of*
15 *this title and section 306 of the Veterans’ and Sur-*
16 *vivors’ Pension Improvement Act of 1978.*

17 “(3) *The payment of benefits as authorized under*
18 *chapter 18 of this title.*

19 “(4) *Burial benefits, emergency and other offi-*
20 *cers’ retirement pay, adjusted-service credits and cer-*
21 *tificates, payments of premiums due on commercial*
22 *life insurance policies guaranteed under the provi-*
23 *sions of article IV of the Soldiers’ and Sailors’ Civil*
24 *Relief Act of 1940 (50 U.S.C. App. 540 et seq.), and*
25 *other benefits as authorized by sections 107, 1312,*
26 *1977, and 2106 and chapters 23, 51, 53, 55, and 61*

1 *of this title and the World War Adjusted Compensa-*
 2 *tion Act (43 Stat. 122, 123), the Act of May 24, 1928*
 3 *(Public Law No. 506 of the 70th Congress; 45 Stat.*
 4 *735), and Public Law 87–875 (76 Stat. 1198).*

5 “(d) *MEDICAL CARE.—Funds appropriated for Med-*
 6 *ical Care are available for the following purposes:*

7 “(1) *The maintenance and operation of hos-*
 8 *pitals, nursing homes, and domiciliary facilities.*

9 “(2) *Furnishing, as authorized by law, inpatient*
 10 *and outpatient care and treatment to beneficiaries of*
 11 *the Department, including care and treatment in fa-*
 12 *cilities not under the jurisdiction of the Department.*

13 “(3) *Furnishing recreational facilities, supplies,*
 14 *and equipment.*

15 “(4) *Funeral and burial expenses and other ex-*
 16 *penses incidental to funeral and burial expenses for*
 17 *beneficiaries receiving care from the Department.*

18 “(5) *Administrative expenses in support of plan-*
 19 *ning, design, project management, real property ac-*
 20 *quisition and disposition, construction, and renova-*
 21 *tion of any facility under the jurisdiction or for the*
 22 *use of the Department.*

23 “(6) *Oversight, engineering, and architectural*
 24 *activities not charged to project cost.*

1 “(7) *Repairing, altering, improving, or pro-*
 2 *viding facilities in the medical facilities and homes*
 3 *under the jurisdiction of the Department, not other-*
 4 *wise provided for, either by contact or by the hire of*
 5 *temporary employees and purchase of materials.*

6 “(8) *Uniforms or uniform allowances, as author-*
 7 *ized by sections 5901 and 5902 of title 5.*

8 “(9) *Aid to State homes, as authorized by section*
 9 *1741 of this title.*

10 “(10) *Administrative and legal expenses of the*
 11 *Department for collecting and recovering amounts*
 12 *owed the Department as authorized under chapter 17*
 13 *of this title and Public Law 87–693, popularly known*
 14 *as the Federal Medical Care Recovery Act (42 U.S.C.*
 15 *2651 et seq.).*

16 “(e) *MEDICAL ADMINISTRATION AND MISCELLANEOUS*
 17 *OPERATING EXPENSES.—Funds appropriated for Medical*
 18 *Administration and Miscellaneous Operating Expenses are*
 19 *available for the following purposes:*

20 “(1) *The administration of medical, hospital,*
 21 *nursing home, domiciliary, construction, supply, and*
 22 *research activities authorized by law.*

23 “(2) *Administrative expenses in support of plan-*
 24 *ning, design, project management, architectural work,*
 25 *engineering, real property acquisition and disposi-*

1 *tion, construction, and renovation of any facility*
 2 *under the jurisdiction or for the use of the Depart-*
 3 *ment, including site acquisition.*

4 *“(3) Engineering and architectural activities not*
 5 *charged to project costs.*

6 *“(4) Research and development in building con-*
 7 *struction technology.*

8 *“(f) GENERAL OPERATING EXPENSES.—Funds appro-*
 9 *priated for General Operating Expenses are available for*
 10 *the following purposes:*

11 *“(1) Uniforms or allowances therefor.*

12 *“(2) Hire of passenger motor vehicles.*

13 *“(3) Reimbursement of the General Services Ad-*
 14 *ministration for security guard services.*

15 *“(4) Reimbursement of the Department of De-*
 16 *fense for the cost of overseas employee mail.*

17 *“(5) Administration of the Service Members Oc-*
 18 *cupational Conversion and Training Act of 1992 (10*
 19 *U.S.C. 1143 note).*

20 *“(g) CONSTRUCTION.—Funds appropriated for Con-*
 21 *struction, Major Projects, and for Construction, Minor*
 22 *Projects, are available, with respect to a project, for the fol-*
 23 *lowing purposes:*

24 *“(1) Planning.*

25 *“(2) Architectural and engineering services.*

1 “(3) *Maintenance or guarantee period services*
 2 *costs associated with equipment guarantees provided*
 3 *under the project.*

4 “(4) *Services of claims analysts.*

5 “(5) *Offsite utility and storm drainage system*
 6 *construction costs.*

7 “(6) *Site acquisition.*

8 “(h) *CONSTRUCTION, MINOR PROJECTS.—In addition*
 9 *to the purposes specified in subsection (g), funds appro-*
 10 *priated for Construction, Minor Projects, are available*
 11 *for—*

12 “(1) *repairs to any of the nonmedical facilities*
 13 *under the jurisdiction or for the use of the Depart-*
 14 *ment which are necessary because of loss or damage*
 15 *caused by a natural disaster or catastrophe; and*

16 “(2) *temporary measures necessary to prevent or*
 17 *to minimize further loss by such causes.”.*

18 “(2)(A) *Chapter 1 is amended by adding at the end the*
 19 *following new section:*

20 **“§ 116. Definition of cost of direct and guaranteed**
 21 **loans**

22 *“For the purpose of any provision of law appro-*
 23 *priating funds to the Department for the cost of direct or*
 24 *guaranteed loans, the cost of any such loan, including the*
 25 *cost of modifying any such loan, shall be as defined in sec-*

tion 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).”.

(B) *The table of sections at the beginning of such chapter is amended by adding at the end the following new item:*
“116. Definition of cost of direct and guaranteed loans.”.

(b) *EFFECTIVE DATE.*—Subsections (c) through (h) of section 313 of title 38, United States Code, as added by subsection (a)(1), and section 116 of such title, as added by subsection (a)(2), shall take effect with respect to funds appropriated for fiscal year 2002.

SEC. 10. PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.

(a) *INAPPLICABILITY OF PRIOR REPORTS TERMINATION PROVISION TO CERTAIN REPORTS OF THE DEPARTMENT OF VETERANS AFFAIRS.*—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following: sections 503(c), 529, 541(c), 542(c), 3036, and 7312(d) of title 38, United States Code.

(b) *REPEAL OF REPORTING REQUIREMENTS TERMINATED BY PRIOR LAW.*—Sections 8111A(f) and 8201(h) are repealed.

(c) *SUNSET OF CERTAIN REPORTING REQUIREMENTS.*—

1 (1) *ANNUAL REPORT ON EQUITABLE RELIEF*
 2 *CASES.*—Section 503(c) is amended by adding at the
 3 end the following new sentence: “No report shall be re-
 4 quired under this subsection after December 31,
 5 2004.”.

6 (2) *BIENNIAL REPORT OF ADVISORY COMMITTEE*
 7 *ON FORMER PRISONERS OF WAR.*—Section 541(c)(1)
 8 is amended by inserting “through 2003” after “each
 9 odd-numbered year”.

10 (3) *BIENNIAL REPORT OF ADVISORY COMMITTEE*
 11 *ON WOMEN VETERANS.*—Section 542(c)(1) is amended
 12 by inserting “through 2004” after “each even-num-
 13 bered year”.

14 (4) *BIENNIAL REPORTS ON MONTGOMERY GI*
 15 *BILL.*—Subsection (d) of section 3036 is amended to
 16 read as follows:

17 “(d) No report shall be required under this section
 18 after January 1, 2005.”.

19 (5) *ANNUAL REPORT OF SPECIAL MEDICAL ADVI-*
 20 *SORY GROUP.*—Section 7312(d) is amended by adding
 21 at the end the following new sentence: “No report
 22 shall be required under this subsection after December
 23 31, 2004.”.

24 (d) *COST INFORMATION TO BE PROVIDED WITH EACH*
 25 *REPORT REQUIRED BY CONGRESS.*—

1 (1) *IN GENERAL.*—(A) *Chapter 1, as amended by*
 2 *section 9(2)(A), is further amended by adding at the*
 3 *end the following new section:*

4 **“§ 117. Reports to Congress: cost information**

5 *“Whenever the Secretary submits to Congress, or any*
 6 *committee of Congress, a report that is required by law or*
 7 *by a joint explanatory statement of a committee of con-*
 8 *ference of the Congress, the Secretary shall include with the*
 9 *report—*

10 *“(1) a statement of the cost of preparing the re-*
 11 *port; and*

12 *“(2) a brief explanation of the methodology used*
 13 *in preparing that cost statement.”.*

14 (B) *The table of sections at the beginning of such*
 15 *chapter, as amended by section 9(2)(B), is further*
 16 *amended by adding at the end the following new item:*

“117. Reports to Congress: cost information.”.

17 (2) *EFFECTIVE DATE.*—*Section 117 of title 38,*
 18 *United States Code, as added by paragraph (1) of*
 19 *this subsection, shall apply with respect to any report*
 20 *submitted by the Secretary of Veterans Affairs after*
 21 *the end of the 90-day period beginning on the date*
 22 *of the enactment of this Act.*

Amend the title so as to read “An Act to amend title 38, United States Code, to increase amounts of educational assistance for veterans under the Montgomery GI Bill and to enhance programs providing educational benefits under that title, and for other purposes.”.

Attest:

Clerk.